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February 15, 2002

Ms Gloria Blue  
Executive Secretary  
Trade Policy Staff Committee  
United States Trade Representative  
600 17<sup>th</sup> Street N.W.  
Washington, D.C. 20508

RE: **Exclusion Request X-100** (Revised Definition of Exclusion for "X-70 & Higher Line Pipe Plate" -- Berg(P))

Dear Ms. Blue:

On behalf of Berg Steel Pipe Corp., we respectfully submit the following definitions for the exclusion of X-70 plate. These definitions have been developed after consultations with the Department of Commerce and relevant TPSC members, and are a refinement of the exclusion request(s) we have submitted since November, 2001 on the same products.

**I. X-70 and higher not made in U.S.**

The following products are unavailable from U.S. producers:

1. Plate for line pipe with a width greater than 150" and a yield strength greater than or equal to 52,000 psi.
2. Plate for line pipe with a thickness greater than or equal to .720" and a yield strength greater than or equal to 70,000 psi.
3. Plate for line pipe with a charpy test absorbed energy greater than or equal to 80 ft-lbs and a yield strength greater than or equal to 70,000 psi.
4. Plate for line pipe with a pipe body drop weight tear test greater than 0 degrees F when fracture appearance requirements are 60% single heat average shear and/or

80% all heat average or more with a yield strength greater than or equal to 52,000 psi.

5. Plate for Sour Service line pipe with requirements of NACE TMO284 HIC tests and a yield strength greater than or equal to 52,000 psi.

## **II. X-70 and higher made in limited quantities in the U.S.**

Further, Berg requests a general exclusion of all plate for line pipe with a yield strength greater than or equal to 70,000 psi. Although the domestic industry claims it can produce this product, it has not been able to supply the quantity required in the time frame necessary for large pipe projects. The domestic industry has generally controlled roll production to less than 5,000 tons/month, while Berg's requirements *alone* can exceed 40,000 tons/month.

## **III. Domestic Industry Support for Exclusions**

It is our understanding from Berg Steel that Nucor and Corus Tuscaloosa Steel have communicated their support for the exclusion of *all* X-70 plate in light of its unavailability in sufficient quantities to fulfill Berg Steel projects.

Respectfully submitted

Donald E. deKieffer

Attachment